

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Goode, et al.
App. No	: 10/633,329
Filed	: August 1, 2003
For	: SYSTEM AND METHODS FOR PROCESSING ANALYTE SENSOR DATA
Examiner	: Robert L. Nasser
Art Unit	: 3735
Conf #	: 4198

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action mailed January 15, 2010, which set forth a Restriction Requirement for pending Claims 177-210, and for which a response is due on February 15, 2010. Accordingly, this response is timely filed.

The Examiner has indicated that a restriction of one of the following inventions is required: Group I, including Claims 177-200, directed to a method and computer system for calibrating an analyte sensor, classified in class 600, subclass 347; and Group II, including Claims 201-270, directed to a method and computer system for calibrating an analyte sensor, classified in class 600, subclass 347.

Applicants hereby elect the invention of Group I, including Claims 177-200, without traverse and request examination of the elected subject matter on the merits.

Applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application. Applicants note that upon allowance of a

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generic claim, Applicants will be entitled to consideration of claims to additional species. Applicants request that, upon the allowance of a generic claim, the remainder of the species be included as permitted by 37 C.F.R. § 1.141.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 11-1410** referencing attorney docket no. DEXCOM.026A

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 21, 2010

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